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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,125	03/29/2004	Janette Anyumba	FDN-2759/A	2186

7590 03/24/2006

Attn: William J. Davis, Esq.
INTERNATIONAL SPECIALTY PRODUCTS
Legal Department, Building No. 10
1361 Alps Road
Wayne, NJ 07470

EXAMINER

LEE, SIN J

ART UNIT	PAPER NUMBER
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1752

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	10/812,125	ANYUMBA ET AL.	
	Examiner	Art Unit	
	Sin J. Lee	1752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,8 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,8 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 8 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, applicants recite, "calibrating the optical change in the object transmitted through the object by x-rays to the dose of the energy corresponding to each position scan;". Are applicants saying that the optical change is being transmitted through the object by x-rays, or did applicants mean to say that "calibrating the optical change in the object to the dose of the energy, which is transmitted through the object by x-rays, corresponding to each position scan"?

Appropriate correction or clarification is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

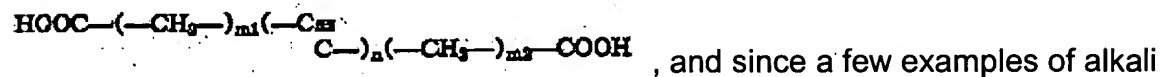
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gore et al (US 6,218,673 B1) in view of Cremeans et al (3,501,297).

Gore teaches (see claim 1 and abstract) a method of imaging and measuring a 3-dimensional dose distribution of an energy field in a translucent, -dimensional object comprising the steps of: applying an energy field to the object such that the optical properties are changed upon receipt of the energy; optically scanning the object at various angles; detecting and measuring light projection data indicative of optical changes in the object; calibrating the optical change in the object to the dose of the energy; and mapping the dose of the energy in the object. Gore's method reconstructs a three-dimensional energy field as a series of 2-dimensional images. Therefore, Gore teaches present invention of claim 1 except for the present image display receiver comprising a radiation activated metal salt of a crystalline, thermochromic polyacetylene having a conjugated structure uniformly distributed in a rigid or high density semi-solid matrix.

Cremeans et al teaches (see abstract and Example O) a photosensitive system for receiving an image which consists of photosensitive crystals of a polyacetylene compound held in a fixed position on a support. Specifically, Cremeans teaches methyl potassium 10,12-docosadiynedioate, which teaches present metal salt of the crystalline polyacetylene of the formula shown in present claim 8. Cremeans teaches that visible images formed by using photosensitive crystals of a polyacetylene compound such as methyl potassium 10,12-docosadiynedioate have *extremely high resolution* (see col.4, lines 45-67). Therefore, it would have been obvious to one skilled in the art to use Cremeans's image receiver which consists of photosensitive crystals of a polyacetylene compound such as methyl potassium 10, 12-docosadiynedioate in Gore's method in

order to obtain a visible image having extremely high resolution. Therefore, Gore in view of Cremeans would render obvious present inventions of claims 1 and 8. Also, since Cremeans teaches (see col.7, lines 45-65) that preferred photosensitive crystalline acid derivatives include alkali metal salts of



, and since a few examples of alkali metals does include lithium, it would have been obvious to one skilled in the art to use Cremeans's image receiver which consists of methyl lithium 10, 12-docosadienedioate in Gore's method with a reasonable expectation of obtaining a visible image having extremely high resolution. Therefore, Gore in view of Cremeans would render obvious present invention of claim 9.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sin J. Lee whose telephone number is 571-272-1333. The examiner can normally be reached on Monday-Friday from 9:00 am EST to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

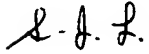
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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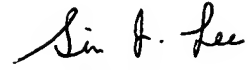
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you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).



S. Lee
March 20, 2006



SIN LEE
PRIMARY EXAMINER